

REMARKS

This application has been carefully reviewed in light of the Office Action dated April 20, 2005. Claims 1 to 13 and 17 to 32 are in the application, with Claims 17 to 32 being withdrawn from consideration pursuant to a restriction requirement. Claim 1 is the sole independent claim under consideration. Claims 14 to 16 have been cancelled without prejudice. Claim 1 has been amended herein. Reconsideration and further examination are respectfully requested.

Applicants affirm their provisional election to prosecute the Group I claims (i.e., Claims 1 to 16). The restriction requirement is, however, traversed.

Traversal is on the ground that there would not be undue burden in examining the two groups of claims in a single application. In particular, MPEP § 808 makes clear that in order to require restriction between independent or distinct inventions, the reasons for insisting upon a restriction requirement, such as undue burden, must also be shown. In the present instance, it is not believed that there would be an undue burden in examining the claims of Groups I and II in a single application, since the two groups of claims are not so different as would require a burden on the Examiner that is significantly beyond that of the normal burdens of examination. Accordingly, reconsideration and withdrawal of the restriction requirement are respectfully requested.

Claims 1 to 3, 12, 13, and 16 were rejected under 35 U.S.C. § 102(b) over JP 10-223585 (Kiyobumi '585). Claims 1, 4 to 6, and 14 were rejected under 35 U.S.C. § 102(b) over JP 10-242103 (Fumio '103). Claims 7 to 11 and 15 were rejected under 35 U.S.C. § 103(a) over Kiyobumi '585 or Fumio '103, in view of JP 2000-133632 (Kiyobumi '632). The rejections are respectfully traversed.

According to one feature of the invention as recited by Claim 1, the processing apparatus comprises an oscillation source which is arranged parallel to a surface of the substrate held by said holding means to supply an oscillation to the substrate.

Kiyobumi '585, Fumio '103, and Kiyobumi '632, either alone or in combination, are not seen to teach or suggest at least the foregoing feature.

The dependent claims under consideration are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from the independent claim discussed above. Therefore, separate and individual consideration of each of these dependent claims is respectfully requested.

An Information Disclosure Statement was submitted on June 17, 2005. Consideration of the documents cited therein is respectfully requested.

No other matters being raised, the entire application is believed to be fully in condition for allowance, and such action is courteously solicited.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



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